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Attorney for SN Servicing Corporation as servicer for  
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Tiki Series III Trust  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

-----X  
IN RE: : CASE NO.: 16-33984-JKS  
Jose Tenecela :  
 : CHAPTER: 13  
 :  
 : HON. JUDGE.:  
 : John K. Sherwood  
 :  
 : HEARING DATE:  
 : **February 10, 2022,**  
 :  
 :  
 :  
Debtor

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**OBJECTION TO DEBTOR'S MOTION TO REINSTATE THE AUTOMATIC STAY**

**TAKE NOTICE** that SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Tiki Series III Trust ("Secured Creditor"), the holder of a mortgage on real property of the debtor(s), by and through its undersigned attorneys, hereby objects to Debtor's Motion to Reinstate the Automatic Stay for the following reasons:

(a) Secured Creditor holds a mortgage on Debtor's residence which is located at 349 Watsessing Avenue, Bloomfield, NJ 07003. As of the date of the bankruptcy filing,

Debtor(s) were in default on the terms of the Note and Mortgage. The Debtor is post-petition due for the monthly payments commencing November 1, 2021, through January 1, 2022 at \$3,595.57 per month less suspense of \$1,166.77, totaling \$10,786.71

(b) Creditor filed a Certification of Default on October 12, 2021 with an objection deadline of October 26, 2021. No opposition was filed.

(c) The Order Vacating the Automatic Stay was not entered until over a week after the objection deadline allow debtor ample time to object to the Creditor's Certification of Default regarding the alleged information within the Motion to Reinstate Stay.

(d) Debtor provides proofs that the "September" payment was made, however, per the Creditor's Certification of Default the September 17, 2021, payment went to October 1, 2021, payment. Additionally, the next three payments were then applied accordingly in addition to covering the cure payments that came due under the Consent Order entered on April 26, 2021.

(e) Debtor has not considered the future cure payments that were due under the Consent Order executed and entered on the docket on April 26, 2021. Taking those future cure payments into with the additional payments accounted for on the proof of payments, Debtor is still due for November 1, 2021, which is still in default of the Notice and Mortgage.

3. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully objects to Debtor(s) Motion to Reinstate the Automatic Stay.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: New York, NY  
01/21/2022

By: /s/ Jonathan Schwalb, Esq.  
Jonathan Schwalb, Esq.  
FRIEDMAN VARTOLO LLP

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UNITED STATES BANKRUPTCY COURT  
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**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Jonathan Schwalb, Esq.  
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85 Broad Street, Suite 501  
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SN Servicing Corporation, as servicer for U.S.  
Bank Trust National Association, as Trustee of  
the Tiki Series III Trust

In Re:

Jose Tenecela

Case No.: 16-33984-JKS

Chapter: 13

Adv. No.: \_\_\_\_\_

Hearing Date: 2/10/22

Hon. Judge: John K. Sherwood

**CERTIFICATION OF SERVICE**

1. I, Katie Crotteau :

☐ represent \_\_\_\_\_ in the this matter.

☒ am the secretary/paralegal for Jonathan Schwalb, Esq., who represents  
SN Servicing Corporation in the this matter.

☐ am the \_\_\_\_\_ in the this case and am representing myself.

2. On January 21, 2022, I sent a copy of the following pleadings and/or documents  
to the parties listed in the chart below.

Objection to Debtor's Motion to Reinstate the Automatic Stay

3. I certify under penalty of perjury that the above documents were sent using the mode of service  
indicated.

Date: January 21, 2022

/s/Katie Crotteau  
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<p>Jose Tenecela 349 Watsessing Ave Bloomfield, NJ 07003</p> <p>Ines Tenecela 349 Watsessing Ave Bloomfield, NJ 07003</p>	<p>Debtor(s)</p> <p>Non-Filing Co-Debtor</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
<p>Jenee K. Ciccarelli Ciccarelli Law, PC 47 Park Avenue, Suite 304 West Orange, NJ 07052</p> <p>Paola D. Vera Cabanillas &amp; Associates PC 120 Bloomingdale Rd., Ste 400 White Plains, NY 10605</p>	<p>Debtor(s) Attorney</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
<p>Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004</p>	<p>Trustee</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
<p>U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102</p>	<p>U.S. Trustee</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>